

PATENT COOPERATION TREATY

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From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To: **LAS**
SANTOPETRO, Lois, A.
E. du Pont de Nemours
and Company
Legal Patent Records Center
4417 Lancaster Pike
Wilmington, Delaware 19805
ETATS-UNIS D'AMERIQUE

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(PCT Rule 71.1)

Date of mailing
(day/month/year) 17.03.2006

Applicant's or agent's file reference
DH0017PCT

IMPORTANT NOTIFICATION

International application No.
PCT/US2005/009572

International filing date (day/month/year)
23.03.2005

Priority date (day/month/year)
23.03.2004

Applicant
E.I. DUPONT DE NEMOURS AND COMPANY et al.

MAR 28 2006

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

EEL NOTED

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PATENT RECORDS CENTRE

23 Sept 2006

Name and mailing address of the international
preliminary examining authority:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Jülich, G

Tel. +31 70 340-3935

MAR 27 2006

TO BE REVIEWED
BY ATTORNEY


PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference DH0017PCT	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/US2005/009572	International filing date (day/month/year) 23.03.2005	Priority date (day/month/year) 23.03.2004
International Patent Classification (IPC) or national classification and IPC F21V19/00		
Applicant E.I. DUPONT DE NEMOURS AND COMPANY et al.		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau) a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 20.01.2006	Date of completion of this report 17.03.2006	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Lange, C Telephone No. +31 70 340- 2376	



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/US2005/009572

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-5 as originally filed

Claims, Numbers

1-10 as originally filed

Drawings, Sheets

1/4-4/4 as originally filed

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/US2005/009572

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	6,8
	No: Claims	1,2,3,4,5,7,9,10
Inventive step (IS)	Yes: Claims	
	No: Claims	1-10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

- D1: WO 02/48606 A (3M INNOVATIVE PROPERTIES COMPANY; LEA, MICHAEL C; WRIGHT, JOHN C; HICK) 20 June 2002 (2002-06-20)
- D2: US 2004/012763 A1 (YU CHUAN-PEI ET AL) 22 January 2004 (2004-01-22)
- D3: WO 2004/001282 A (SAMSUNG ELECTRONICS CO., LTD; LEE, JEONG-HWAN; PARK, JONG-DAE; KIM, YO) 31 December 2003 (2003-12-31)
- D4: DE 299 19 897 U1 (HENNINGER, THOMAS) 27 April 2000 (2000-04-27)
- D5: DE 101 20 666 A1 (SITECO BELEUCHTUNGSTECHNIK GMBH) 2 October 2002 (2002-10-02)
- D6: PATENT ABSTRACTS OF JAPAN vol. 2002, no. 07, 3 July 2002 (2002-07-03) - & JP 2002 072202 A (FUJITSU LTD), 12 March 2002 (2002-03-12)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1, 7 and 10 is not new in the sense of Article 33(2) PCT.

Document D1 discloses a clamp (3) for holding a lamp (2) within a reflector housing (8) comprising: a body (5,6,7) having at least one semi-cylindrical recess (4) with at least one opening for accepting a cylindrical lamp (2).

Therefore, the subject-matter of claim 1 is not new (Art. 33(2) PCT).

Note, that documents D2-D5 anticipate as well the subject-matter of claim 1 and are, thus, novelty-destroying (Art. 33(2) PCT).

3. The subject-matter of claims 7 and 10 are also disclosed in D1 or obvious for the person skilled in the art for the following reasons.

The process according to claim 7, i.e. pressing the tube into the recess, is the method how the skilled person would produce the assembly of claim 1.

The subject-matter of claim 10 is fully disclosed in D1, see fig. 8.

4. Dependent claims 2-6,8 and 9 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, the reasons being as follows:

The subject-matter of claims 2-6,8 and 9 is anticipated in the prior art, see documents D2-D5, or rendered obvious by the general knowledge of the skilled person or in combination with other documents (see D6).

5. The subject-matter of claims 1,7 and 10 is industrially applicable in the field of supporting elongated light sources.